

REMARKS

The Office Action mailed December 18, 2009 has been reviewed and reconsideration of the above-identified application in view of the following amendments and remarks is respectfully requested

Claims 1-4, 6-8 and 10-15 are pending.

Claims 1-4, 6-8, 10 and 12-15 stand rejected.

Claim 11 is objected to.

Claims 1 and 12 are independent claims.

Claims 1 and 12 have been amended. Claims 10 and 11 have been cancelled without prejudice.

The Oath/Declaration is objected to for not including the citizenship of the inventors. Claims 1-3, 6-8, 10 and 12-13 stand rejected under 35 USC 102(b) as being anticipated by Chainani (USP no. 5,724,074). Claims 4 and 14-15 stand rejected under 35 USC 103(a) as being unpatentable over Chainani and further in view of Rosenplanzer (USPPA 2004/0268247) and further in view of Makatchev and Tso ("Human-Robot Interface Using Agents Communicating in an XML-Based Markup Language").

Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicant apologizes for failing to provide a Supplemental Declaration in applicant's response to the prior Office Action and continues to acknowledge the need to provide a corrected document. Applicant has attempted to contact the inventors regarding executing a Supplement Declaration but has failed receive any return correspondence from two of the inventors.

Thus, applicant will prepare and provide a Petition to Enter Documents for Recalcitrant Inventors along with evidence of applicant's efforts to contact the recalcitrant inventors to correct the deficiency found in the Declaration of record.

Thus, applicant respectfully requests that the submission of the Supplemental Oath and Declaration be held in abeyance until all efforts to contact the inventors have been exhausted and sufficient evidence may be provided, pursuant to 37 CFR 1.47, to support submission of a Supplemental Declaration executed by at least one available inventor.

Applicant thanks the Examiner for the indication of allowable subject matter in claim 11 and has elected to amend the independent claims 1 and 12 to include the subject matter of claim 10 and claim 11.

Applicant submits that the claims, as amended, are in a form consistent with the indication of allowable subject matter.

With regard to the rejection of claims under 35 USC 102(b) and under 35 USC 103(a), applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in order to advance the prosecution of this matter, applicant has elected to amend the independent claims so as to place the claims in a form indicated to be allowable.

According, the rejections of the claims 35 USC 102(b) and under 35 USC 103(a) are no longer applicable without discussing the merits of the rejections.

For the amendments made to the claims, applicant submits that the rejections of the claims has been overcome and respectfully requests that the rejections be withdrawn.

For the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

Applicant respectfully requests that a Notice of Allowance be issued.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or

points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to call the undersigned attorney at the telephone given below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,
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Date: March 8, 2010

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